

MODIFICATION OF CHAPTER 13 PLAN & MOTIONS **(Before Confirmation)**

A Chapter 13 debtor may modify the plan at any time before or after confirmation, but before the completion of plan payments. U.S.C. § 1323, 1329. The Modified Plan shall be filed on **Local Form 8**. If the modification does not adversely affect creditors and is timely served on the chapter 13 trustee, the confirmation hearing will go forward on the date set for the original plan.

If the plan does adversely affect creditors, the court will serve on all interested parties a copy of the plan. If the modification is within 35 days of the Confirmation hearing, the court will also send a Notice of Hearing on Confirmation of the Plan rescheduling the confirmation hearing. Pursuant to **DNJ L.B.R. 3015-1**, “. . . the debtor must, within twenty days of the date of entry on the docket of the Notice of Hearing on Confirmation of Plan, serve each potentially affected creditor with a copy of the Plan **and Local Form 22 Chapter 13 Plan Transmittal Letter**. The debtor shall file a Proof of Service of compliance with this section at least seven days prior to the scheduled Confirmation Hearing”

- STEP 1** Choose **Bankruptcy** from main menu


- STEP 2** Choose **Plan** category

- STEP 3** Enter case number; click [NEXT]

- STEP 4** Select **Modification of Chapter 13 Plan and Motions - Before Confirmation** from drop down list, click [NEXT]

- STEP 5** If this is a joint filing, place a check in the box next and click [NEXT]. If not filing with joint counsel, click [NEXT] to skip this screen

- STEP 6** Select party or click [ADD/CREATE PARTY]; click [NEXT]

- STEP 7** Upload PDF file and any attachments, click [NEXT]
 -  *TIP - If motions are included as part of the modified plan, support documents such as certifications and exhibits may be uploaded as attachments to the modified plan.*

STEP 8.a Place a check in the box next to the plan that is being modified

☛ *TIP - If only one plan exists, CM/ECF will default with a check in the box.*

STEP 8.b If the plan includes motions, enter the type of motion; click [NEXT]

☛ *EXAMPLE - Motion to Avoid Liens, Motion to Reclassify Debt.*

☛ *TIP - If the plan does not include motions, enter NONE*

STEP 9 Docket text appears; choose the appropriate prefix, e.g. First, Second, etc.; click [NEXT]

☛ *TIP - Other than the selection of a prefix, the text of this docket entry cannot be modified from this screen; if modification is necessary use the [BACK] button on your browser.*

SAMPLE DOCKET TEXT

Modified Chapter 13 Plan - Before Confirmation. Motions Included: Motion to Reclassify Claims. (related document:[2] Chapter 13 Plan and Motions filed by Debtor Hope Lange). Filed by John Smith on behalf of Hope Lange. (John Smith)

STEP 10 Final docket text appears; click [NEXT] to submit

☛ *TIP - This is the last opportunity to change information or abort transaction.*

STEP 11 Notice of Electronic Filing displays